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April 1, 2013



BY HAND DELIVERY

The Honorable Robert E. Payne
United States District Court
for the Eastern District of Virginia
701 East Broad Street
Richmond, VA 23219

Re: *Tyrone Henderson, et al. v. Acxiom Risk Mitigation, Inc., et al.*
Civil Action No. 3:12cv589
Our File No. 239722.000004

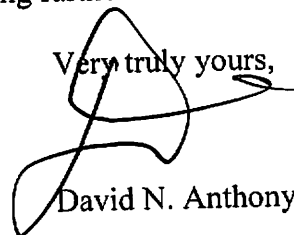
Dear Judge Payne:

Per your direction to counsel for the parties at the Initial Pretrial Conference on March 25, 2013, counsel for the parties have discussed amongst themselves and with their clients whether they are agreeable to a private mediation or a settlement conference with a Magistrate Judge appointed by the Court in this case. On behalf of counsel for the parties, I am confirming that the parties are agreeable to having a private mediation of this matter.

In light of the holiday, we have had some time constraints in finalizing the selection of the private mediator, but are making progress in this regard. We fully expect to finalize our agreement upon a mutually acceptable private mediator by the end of this week, and we will notify the Court of the selected private mediator.

Please let us know if you need anything further from us in the interim.

Very truly yours,



David N. Anthony

Enclosure

cc: Leonard A. Bennett, Esq. (w/encl. via email)
Charles K. Seyfarth, Esq. (w/encl. via email)

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